

In the Matter of)
) MB Docket No. 13-249
Revitalization of the AM Radio Service)

To: The Commission

(especially nighttime) extremely complicated the Staff's engineering process, 3) the staff was asked to process AM applications using the same technical standards that have been in place for the last 30 years (with very few exceptions); 4) lengthy and repeated petitions for reconsideration added years to many applications; and 5) applicants had extremely difficult time maintaining property for tower sites over these extended time periods.

SECOND, all media suffered economic hardships as a result of the economic crash of 2008. Radio in general lost a sizable margin of its market value. However, existing AM facilities fell to values so low that many of the interested small business and majority entities previously interested in AM facilities could not now buy existing properties for fractions of the build out of new stations.

THIRD, the promise of an AM digital standard that was going revolutionize the entire band proved unreliable and unusable during the five to nine years spent waiting for an invitation to file a Form 301 for a new facility gained in the original filing window.

The above is a partial list of reasons the fruit of the 2004 AM filing window have suffered greatly. Therefore, the question is not, "did it happen" but more it's "what could prevented some hindrances from occurring?" Quite obviously factors TWO (2008 economic collapse) and THREE (AM digital) are totally outside the arena of broadcasting and could not have been anticipated nor factored into a timetable. But Factor ONE has sub-factors that could have eliminated years in the processing timetable. RAMS therefore identifies AM application, construction and operating problems occurring

during the 2004 processing (still being developed) and changes that must be made to correct them.

The AM engineering processing rules which must be changed:

1. Minimum antenna efficiency standards. Directional arrays were often awkward and contained unusual AGL towers in order to reach minimum efficiency. As long as it is possible to determine the mV/m at 1 kilometer this requirement must be eliminated.
2. Totally unused former nighttime clear channel (both I and II) sky wave protection. All applications filed in the 2004 AM window had to include nighttime protection to former AM clear channels' 50,10 sky wave. These are areas that are in no way used by the former clears yet they are protected. What it meant to the applicant in the 2004 window was a nighttime DA array of 6 (or 8) towers in lieu of two. Protection of former clears' .5 mV/m daytime contour is more than adequate. Nighttime protection of all AM stations to their 2 mV/m ground wave should be considered.
3. Totally abandon the use of nighttime interference contour (NIF). If, as the instant NPRM states, specific levels or percentages of nighttime coverage to an AM station's community of license is to be abandoned why is it necessary that a station provide computations depicting NIF coverage? The 2004 applications required an NIF to 80% of a community of license. This often required several additional acres of property for a properly orientated array, sometimes a totally different orientation to the daytime array.

4. Allow AM existing stations to be moved to non adjacent channels to accommodate other stations' modifications, upgrades/enhancements. FM rules allow one station to propose the reallocation of other stations to channels (equal to current allotment) in order to create spectrum space for coverage changes, community of license changes, etc.

However in the band where help is need the most only changes AM stations can do is modify on its current channel or move to another MX channel (3 up and 3 down). In AM the use of a "show cause" order is probably not advisable, but moving to non adjacent channels by agreement would still be a great tool to aid in the redevelopment of the AM band.

5. Reduce the number of appeals a losing party can file in order to tie up finality in Commission AM competitive/contested decisions. The Commission is quick to point out that certain type applications must not be considered and others take 8 to ten months to process due conserving its resources. While this is often easy to see by applicants and licensees, it is very difficult to see how parties that loose in AM grant decisions can use countless hours of the Commission's resources by filing recon after recon based on the same material. A limit of one recon per applicant will expedite staff processing time by years.

The next comments are based on observations, occurrences, and questions asked of the RAMS principals in their role as technical consultants and advisors to small business and minority broadcasters. The points should be considered if the Commission is truly interested in preserving the AM band. The first points are for consideration in the immediate future to stimulate AM activity which results in amore and better AM service.

The final points are aimed at looking at the AM Band long term. While the Commission is charged with looking for methods to provide aural service in the public interest, broadcasting in America is a private and commercial endeavor. This means it is not possible to factor out free enterprise principles when looking at long term AM options.

1. Allow expired AM licenses in un-served and underserved areas to be reinstated for periods up to three years after they have expired and/or revoked. RAMS is not proposing that the licensee who allowed the license to expire or revoked be the party getting the reinstatement. Rather that a filing window for such license be opened, or a first come first serve be implemented. CPs could then be granted with a twelve month life span. This action will allow communities that are now without service due to AM licenses being surrendered, cancelled and revoked to once again be served.

2. Allow existing AM licensees to make lateral moves to currently unused channels with are not MX. FM allows such moves as long as the move is of the same class station. These moves will allow existing AM stations to often drop expensive DA arrays, add new communities, serve fringe formats which it current signal does not reach and lead to a more maximum utilization of the spectrum.

3. The Commission should acknowledge that there is something wrong when a permittee of a 50 KW-D, 1 KW-N is willing to trade its CP for a rural unprotected FM translator. It means that the AM model has problems communicating with the listening public and competition with all digital media is impossible. It means 5 to 8 miles of FM signal is viewed as better than 50 miles of AM signal. Therefore, how does the Commission

approach the task of preserving the existing AM Band while allowing the licensee that wants FM (basically at any price) to find a way to serve its listeners? RAMS proposes the following:

a. Many of the AM Band's ills will disappear with a solid digital standard, but nighttime digital tends to generate more problems than it eliminates. The solution here is to lessen the number of AM stations in the Standard Band by allowing all AM stations desiring to become FM an allotment in an expanded band. Currently on file at the Commission is a proposal by the Broadcast Maximization Committee (Broadmax) that calls for a migration of all AM stations to low VHF channels (Less those stations who desire to remain behind in the thinly populated AM Band). Those who remain behind would be given a full 10 kilohertz with a 10 kilohertz vacant first adjacent channel. This allows for up to 5 to 7 kilohertz for digital transmission without first adjacent night time interference.

b. AM stations that chose to migrate to the expanded band would receive a 100 kilohertz channel that can be use in numerous ways. Smart receivers are sitting on the sideline and recommended by the Commission. Solid state external tuner converters can modify any current FM receiver to an expanded band receiver within minutes.

c. 100 kilohertz all digital transmission allows for two or more CD quality program streams along with low resolution video.

d. Current spectrum that is allowed for TV channels 5 and 6 is preferable since the standard is now in use in other parts of the world. However, 12 megahertz in other parts of the spectrum that will accommodate digital transmission should be considered also.

Conclusion

The 2004 AM filing window started with great promise, but due to the circumstances discussed in the instant filing it became a disaster for many applicants. The lessons learned in this experience should never be repeated. RAMS has shared the modifications to the rules it sees as safeguards to prevent a repeat of the approaching 10 year old filing window.

While all items proposed in the instant NPRM should be considered, at best it and all other engineering and legal proposals and concessions are only stopgap measures.

AM as it exist today has a problem unless the licensee as a fully powered, fully protected Class A in a major market. Even then many of those broadcasters have moved their full powered, fully protected AM programming to a sister FM signal to revert back to the days of simulcast. The AM band is too congested with low to medium powered stations to allow for the true use of digital transmission. Therefore the Commission has taken giant steps to assist AM with the allotment of FM translators, but these allotments only reiterate the concept that the AM Band had many inherit problems that will only be solved by thinning out the current population. RAMS proposes thinning out the AM Band not by eliminating the licensees, but by allowing a migration to an expanded FM band; one that can provide for a digital standard of 100 kilohertz. This is the only long-term scenario to preserve a future for the current AM licensee.

Respectfully Submitted,

RAMS, RAMS I, RAMS II, RAMS III, RAMS IV

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